

## AFFIDAVIT OF SUITABLE SERVICE

INDEX # 07CIV8797<sup>N</sup>U S District COURT OF THE STATE OF NEW YORK  
COUNTY OF Southern

San San Fung

- against -

The Nyc Police Dept The City Of New York  
Et AlKELLY ET AL  
275 7th Ave Ste 1505  
NEW YORK  
N Y 10001

(212) 691-9393

Atty File #

Record # 104839

File # 157

STATE OF NEW YORK: COUNTY OF NASSAU: ss

Harry Torres-Lic#0915257 being duly sworn deposes and says deponent is not a party to this action and is over the age of eighteen years and resides in the state of New York:

That on 10/30/07 at 1:15pm at 230 W 20th St New York Ny deponent served the within Summons & Complaint In A Civil Action on Detective Bennie Vance - 10th Pct Narcotics Manhattan South recipient therein named.

After your deponent was unable with due diligence to serve the recipient in person, service was made by delivering a true copy thereof to and leaving with P.O. Perry Carter Co-Worker a person of suitable age and discretion at 230 W 20th St New York Ny said premises being the recipient's usual place of business within the State of New York.

Deponent completed service by depositing a copy of the Summons & Complaint In A Civil Action on 10/31/07 in a postpaid, properly addressed envelope by first class mail, bearing the legend Personal & Confidential and not indicating legal action, in an official depository under the exclusive care and custody of the United States Post Office in the State of New York. Mailing was made to 230 W 20th St New York Ny

## Attempts:

A description of the person served on behalf of the defendant is as follows:

Approx Age: 40 Years Approx Weight: 200 Lbs. Approx Height: 6'0'  
Sex: Male Color of Skin: Black Color of Hair: Bald  
Other:

Deponent spoke to P.O. Perry Carter - Co-Worker same as above,

confirmed the above address of defendant and asked whether defendant was in active military service of the United States or the State of New York in any capacity whatever or is a dependent of anyone in the military and received a negative reply and the defendant always wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that defendant is not in the military service of New York State or of the United States as that term is defined in either the State or in Federal statutes.

Sworn to before me this 10/31/07  
Jeffrey Wittenberg #41-4906457  
Notary Public, State of New York  
Nassau County, Commission Expires 08/22/10

Harry Torres-Lic#0915257

Supreme Judicial Services, Inc.  
371 Merrick Road - Rockville Centre, N.Y. 11570 - (516) 825-7600  
255 Broadway - New York, N.Y. 10007 - (212) 319-7171  
Fax (516) 568-0812

AO 440 (Rev. 8/01) Summons in a Civil Action

**RETURN OF SERVICE**

Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE 10/30/07
NAME OF SERVER (PRINT) Harry Torres	TITLE Process Server

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served:

☒ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left: P.O. Perry Carter

☐ Returned unexecuted:

☐ Other (specify):

**STATEMENT OF SERVICE FEES**

TRAVEL	SERVICES	TOTAL
		\$0.00

**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 10/30/07  
Date

Signature of Server

SUPREME JUDICIAL SERVICES INC.

371 MERRICK ROAD SUITE 202

Address of Server ROCKVILLE CENTRE, NY 11570

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.